

# Feared to Kill Alien Relatives, Bergdoll Plea

Chairman of Draft Board Tells Court Martial of Visit Made to His Home by Erwin and Two Others

Excuses Were Disallowed

Not Guilty Is Answer of Prisoner to Charge of Evading Service in Army

Erwin Rudolph Bergdoll, millionaire draft dodger of Philadelphia, evaded service with the United States forces because he did not want to "shoot any of his relatives on the other side," according to testimony given at his trial, which began yesterday before a general court martial in Corbin Hall, Governor's Island. Erwin is the brother of Grover C. Bergdoll, who was sentenced to five years' imprisonment for draft dodging, but later escaped from military custody.

The statement that Erwin was adverse to shooting his German relatives was made by William S. Ellis, a lawyer of Delaware County, Pa., who was chairman of Local Board No. 3 in that county during the operation of the draft laws.

Replying to questions by Lieutenant Colonel Charles C. Croson, who is conducting the prosecution, Mr. Ellis said:

"Erwin Bergdoll came to see me at my house the day before he was called up for medical examination. He was accompanied by two other men, one George Deaves, and the other, A. Hall, his brother-in-law.

"Deaves said they had come to see whether Bergdoll couldn't be excused. I said I did not see why he should. Then they said they thought Erwin Bergdoll did not want to shoot any of his relatives on the other side, if he were obliged to join the army. "I told them that he was an American citizen, subject to the draft, and as such there was no valid reason why the decision of the board should be reversed."

Failed to Report for Examination

Under cross-examination by Captain Ambrose Clougher, counsel for the accused, Mr. Ellis stated that both Deaves and Hall had promised the accused would present himself for the following day for medical examination, but this promise had never been kept.

The examination had been set for April 18, 1918.

Erwin Bergdoll was marched across the island before an armed sentry. He walked with an uneven and uncertain gait, prompted by the stiff orders of the sentry. At the entrance to the hall a number of photographers attempted to take his picture, but he raised his hand to his face.

Inside the courtroom the officers forming the general court martial sat around a table. Colonel William H. Ainslie, president of the court, occupying a chair in the center. Bergdoll walked over hesitatingly to where his counsel sat, and then listened while the charges against him of violating the fifty-eighth article of war were read. Then in response to the court, in a firm voice, he replied "Not guilty."

The orders convening the court were read, and then a number of routine witnesses were called to the stand. The official document, in this connection, Louis Rosoff, a clerk in the War Department, and Samuel L. Penecast, chief registrar of Marine, Pa., were called.

Exemption Claims Disallowed

Mr. Ellis, however, was the chief witness of the day. He testified to having examined Bergdoll on his claim for exemption on the ground of being engaged in farming, and the manufacture of automobile parts. This claim was not allowed by the board, and on April 2, 1918, Ellis wrote the District Attorney at Lancaster, Pa., signing the following reasons for disallowing the claim:

"Bergdoll had ample means, and was not dependent upon his farm."

"He showed very little knowledge of farming."

He claimed that the farm produced \$1,000 worth of produce annually, which was consumed on it was not substantiated. Bergdoll was automatically entered in the United States Army when delinquent order 29,863 concerning him went into effect in May, 1918. Police Captain Edward T. Hallisey, of Haverford, Pa., was then requested to apprehend Bergdoll. After a few days the latter wrote to Mr. Ellis stating that Bergdoll's place had been closed, and he had left "for parts unknown."

The trial will be continued to-day.

Labor Day on Merne Date

Also Anniversary of Lafayette's Birthday, A. E. of L. Recalls

In a resolution adopted by the executive council of the American Federation of Labor, in session at the Hotel Continental yesterday, attention is called to the fact that Labor Day this year will fall on the anniversary of the birthday of Lafayette and likewise the anniversary of the battle of the Marne.

Labor unions throughout the country are urged to commemorate these historic events in the regular Labor Day exercises.

The committee, headed by Samuel Gompers, which was to have waited on Attorney General Palmer yesterday to urge general amnesty for political prisoners postponed its visit.

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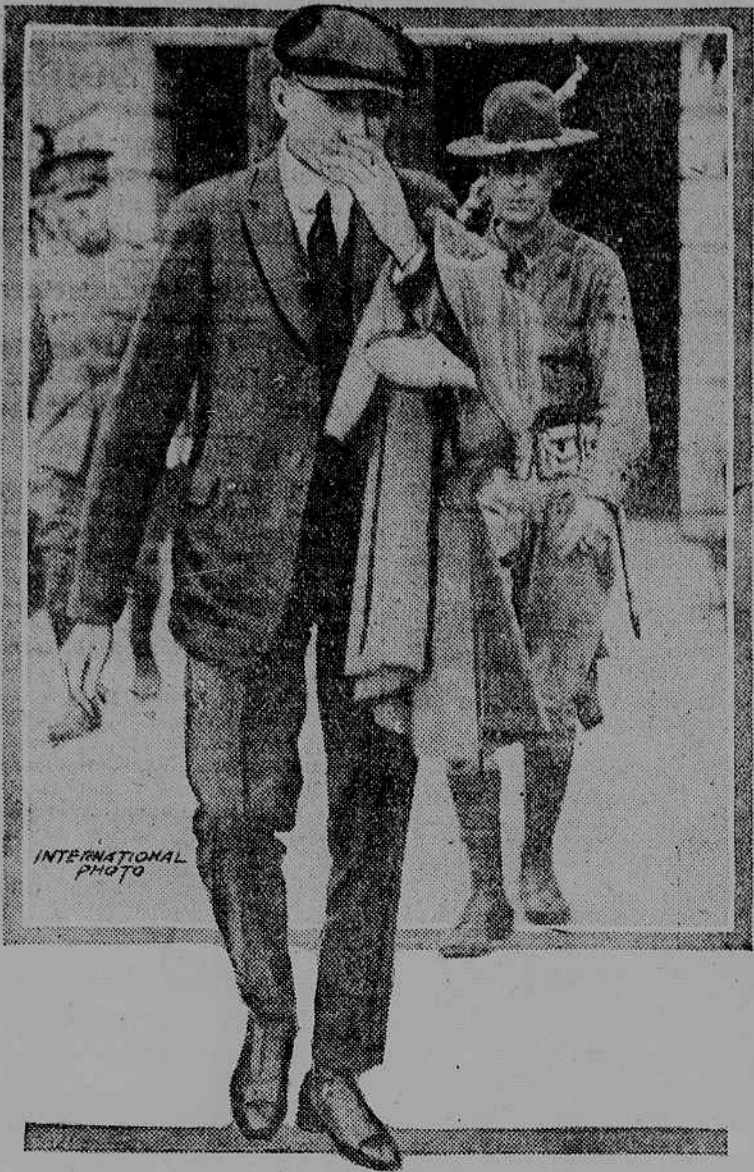
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## Erwin R. Bergdoll on Way to Trial



Snap shot of prisoner accused of evading the draft as he was taken to face the court martial at Fort Jay.

### Americans Assailed By Japanese Editor

'Kokumin Shimbun' Says They Are Fostering Disloyalty and Fomenting Labor Troubles

TOKIO, Aug. 6 (By The Associated Press) (delayed).—Assertions that Americans are "fostering disloyalty" among the people of Japan and that American missionaries in Korea are "using the cloak of Christianity to instill anti-Japanese sentiment there" are made in a series of articles appearing daily in the newspaper "Kokumin Shimbun." This journal is considered the organ of the military groups and its proprietor and editor is Ichiro Tokutomi, one of the leading journalists of Japan.

America is declared to be "using Japanese educators, thinkers and business men as tools to spread dangerous thoughts, destroy military discipline and influence Japanese youths to avoid conscription in the army." The newspaper says Americans "foment labor troubles for the purpose of hindering Japanese industrial development and reducing her production."

"America is puffed up since the war," says another article, "and considers herself the sole arbiter of the world."

Plans for a larger United States navy are regarded by the writer of the articles as "completely removing America's false mask of justice and humanity" and "exposing her claws of militarism." America is seizing every opportunity to protest against Japanese actions and is influencing China against this country, it is alleged.

### Six Girls Held After Shooting at Castle Inn

Will Be Questioned Regarding Murder of Chauffeur and Wounding of Policeman

Six girls, alleged dance hall catons, are held in the Queens County Jail under \$10,000 bail each as material witnesses in connection with the shooting to death in Castle Inn, North Beach, early Sunday morning, of Joseph Woelke, twenty-three, a chauffeur, of 241 East Seventy-first Street, Manhattan, and the wounding of James Hillier, a special policeman, Hillier is in St. John's hospital, suffering from a minor wound.

The girls held yesterday are Helen Murphy, eighteen, of 410 West 107th Street, Manhattan; Helen and Loraine Barrows, eighteen and nineteen, of 205 West 112th Street, Manhattan; Mrs. Lillian Woelke, wife of the slain chauffeur; Miss Helen Rohm, a sister of Mrs. Woelke, of 203 Howard Street, Newark; and Miss Grace Peary, eighteen, of 247 East Fifty-first Street, Manhattan.

Helen and Loraine Barrows, according to detectives, admit that they were present when Woelke was shot, but assert that the lights in the dance hall were extinguished and they were unable to determine who fired the shot.

## Lambs to Act To-morrow on McGraw Fight

(Continued from page one)

ceived a black eye, a mark upon his nose and other injuries.

All witnesses to the battle interviewed by Detective Fitzgerald or Detectives Fitzpatrick and Love agree that Boyd got distinctly the better of the encounter.

That these were substantially the facts of the encounter was testified to by a member in close touch with the investigation being conducted by the house committee.

Slavin, whose name in private life is Jacob Miller, was reported at the hospital as having been semi-conscious throughout the day. A physician stated that he believed the actor would pull through. The doctor said the police had not been allowed to question the injured man and probably would not be for several days. He said he had examined Slavin, but had not noticed that two front teeth were missing, as reported by Slavin's son.

Slavin's Tongue Injured

The physician said, however, that he had noted an injury on the right side of Slavin's tongue, which indicated that it had been caught between side molars. Detectives would not comment upon this injury, not heretofore reported, further than to say that in their opinion it may have resulted from the shock of the fall Slavin received in front of McGraw's home.

Dr. H. M. M. Lyle, the visiting surgeon in the charge of the patient, has not noticed that two of the actor's teeth are gone, it was said at the hospital. Dr. Lyle will issue a statement, authorities said, when Slavin is able to answer questions. "Yes" and "No" are the only words he spoke yesterday, but he was able to recognize his wife and son, who visited him twice.

An X-ray examination probably will be made to-day to determine if Slavin's skull is fractured. If it is his chances for recovery are good, it was said, as the injury is at the base of the skull and away from the most vital regions of the head.

Mr. Brown, chairman of the house committee of the Lambs, declared yesterday he had been in communication with James Shevlin, supervisor of prohibition enforcement, and had invited Shevlin to come to the Lambs and see for himself how the club stood on the liquor question. Shevlin had announced in the press earlier in the day that his office would follow up reports that liquor was drunk at McGraw's party in the club Sunday morning.

The president of the house committee of the Lambs referred Mr. Shevlin to the club's resolution promising aid to the Federal authorities in prosecuting any violations within its doors of the enforcement act.

"We cannot, however, prevent some being brought in in a member's stomach," he said.

Mr. Brown announced that every aid would be given the police in the investigation of the accident to Slavin. The club has been exonerated of any connection with the injury and has been in close touch with the detectives.

William Meagan, a chauffeur, who drove McGraw, Slavin and Liggett to McGraw's home Sunday morning, was questioned by the police again yesterday. Meagan, detectives said, now admits that more than a friendly dispute over who should pay the fare took place when the party alighted from the taxi.

McGraw's face is in bad shape from the beating he received at the hands of Boyd, detectives say.

Mr. Liggett has not been seen by the police since Sunday.

### Japanese Buy Mexican Lands; Fear Ban on Ownership in U. S.

WASHINGTON, Aug. 10.—Large tracts of land are being acquired by Japanese in Mexico close to the California boundary, presumably against the contingency that they soon may be barred from holding land in that state, according to a report given to Senator Phelan, of California, by the State Department.

The most recent acquisition by Japanese was 3,000 acres three miles south of Andrade, California. Negotiations are said to be in progress for even larger tracts in the same neighborhood.

Jersey Bank Teller Accused Of Stealing to Buy a Home

CAMDEN, N. J., Aug. 10.—Thomas S. Lang, twenty-one, paying teller of the First National Bank of Westville, N. J., was held to-day in default of \$5,000 bail by United States Commissioner Jolliffe. He had been arrested on a charge of embezzling \$2,000 from the bank.

It was said that the young man took the money to pay for a home for his bride, to whom he was married three months ago. Lang was arrested on the complaint of Foster Allison, accountant for the Department of Justice.

### Knickerbocker Barbers now at Hotel Commodore

Doubtless to many of its patrons the closing of the Knickerbocker Barber Shop comes as something akin to a personal loss. They miss the men and women who served them long and well.

We have been fortunate in being able to add to our staff the nucleus of the barbers and manicurists who formerly served you at the Knickerbocker. They may now be found combined with our own forces at our shop in the Hotel Commodore.

In this Terminal Barber Shop the former patrons of the Hotel Knickerbocker Shop will find the same familiar faces and the same excellent service to which they have been accustomed, rounded out and supplemented by Terminal training and methods. These barbers and manicurists will be as happy and anxious to serve in their new surroundings as they were in the old.

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## British Press Calls Mannix Case a Blunder

(Continued from page one)

duet theaters, all journalists, any one, in fact, whose business it is to assess how things will appear to the public could have told the government that by sending a small navy after Archbishop Mannix they would bring derision on themselves in this country and in Ireland. They have melodramatized the Archbishop instead of suppressing him. What we regret about it all is its serious consequences, namely, a gift of another grievance to the Irish irreconcilables and of clouding the Irish issue at a most critical time. The government have indeed made themselves very silly."

Archbishop Mannix himself applied the word "silly" to the action of the government, and added that his removal from the "greatest British naval victory since the Battle of the Falkland Islands."

LONDON, Aug. 10 (By The Associated Press).—Even the priests were not allowed to greet Archbishop Mannix when he arrived here this morning until he had passed the barriers into the station proper. Here the police had some difficulty in handling even such a small crowd, as nearly everyone insisted on kneeling before the Archbishop and kissing his hand.

"I have made no plans whatever for the future," said Archbishop Mannix, when asked if he would attempt to get to Ireland. It is considered it would be most difficult for him to move anywhere unobserved, as the place where he is stopping is already under surveillance.

Archbishop Was Seaisick

Archbishop Mannix was considerably fatigued to-day, still suffering from the effects of seasickness occasioned by his 200-mile destroyer trip.

"If this sort of treatment is accorded a man of my position, the world certainly will ask itself what may happen to the Irish peasant," declared the prelate to The Associated Press correspondent in Nazareth House Convent, where he has temporarily taken up his abode.

"This whole thing shows to what straits the British government has been driven in trying to handle the Irish situation," he continued. "It shows to what a panic condition the government has been reduced."

Archbishop Mannix denied the report published in London that he had stated the primary purpose of his visit to Ireland was to see his ninety-year-old mother.

"Of course, I want to tell the Irish people what the Australians and Americans think of their cause, and that is the reason the British government prevented me from going," he said.

Further details of the circumstances

## Stoneham Is Defendant In Cuban Whisky Suit

Part Owner of Giants Said to Have Offered Big Stock at \$12 a Case

Charles A. Stoneham, stock broker, part owner of the Havana race track and a Cuban newspaper, yesterday was made the defendant in a suit for \$10,536 filed in the Supreme Court by John M. Bachman jr. Mr. Stoneham was sole owner of a large stock of whisky in Cuba. The suit concerns business transactions regarding the disposal of it.

Mr. Bachman is suing as assignee of a claim which H. C. Kendall Hester says he has against the defendant. It is alleged that Mr. Stoneham wanted to sell his whisky at \$12 a case. He and Hester, Bachman claims, entered into an agreement whereby Hester was to dispose of the supply and keep all that he received in excess of \$12 a case.

The Stoneham agent, it is declared, very readily sold 5,000 cases to Chapman & Matland Ltd. at \$14 a case, and 100 cases to D. L. Bretzfelder & Bros. at \$15 a case. But Mr. Stoneham, according to Mr. Bachman, after accepting the orders, refused to deliver the whisky.

It is further alleged in Mr. Bachman's suit that Stoneham authorized Hester to order for him 375 gross of whisky at not more than \$3 a gross. The agent, it is claimed, was to receive a commission of 50 cents a gross. He purchased the dasks from Grifenhagen Brothers, but Mr. Stoneham refused to give him the promised commission, it is claimed.

Thompson Opens Campaign

Senator Speaks in Bayside on Governor Primary Fight

State Senator George F. Thompson last night made the first speech of his campaign for the Republican nomination for Governor. He addressed members of the Bayside Republican Club in Firemen's Hall, Bayside, L. I.

Referring to the Republican convention at Saratoga, he said: "There are two reasons why the convention was not fair. The first was that we have a direct primary law and it was not tested. The second was that the delegates, selected by the chairman of the county committees, had been instructed how to vote. I protested against this action and wanted all the candidates to start from scratch, but my protest availed me nothing."

Further details of the circumstances

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Japanese guard compound with the knowledge of his government.

"In consideration of the international practice established by China," the Japanese Minister said, "they have been warned to refrain from concerning themselves with politics and have been isolated."

The list of the refugees includes all those affected by the July 28 decree except Li Shih-hao, former Finance Minister.

Chinese Political Refugees Get Japanese Protection

PEKING, Aug. 10 (By The Associated Press).—The Japanese Minister has informed the Foreign Office that nine Antus subject to the decree of arrest on July 28 are taking refuge in a

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